

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, :

18-Cr-289 (SHS)

-v-

:

ORDER

RYAN RAINFORD, BRYAN DUNCAN, :
and ROBERT LOCUST, :

Defendants. :
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SIDNEY H. STEIN, U.S. District Judge.

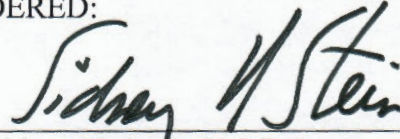
On August 2, 2024, the U.S. Court of Appeals for the Second Circuit affirmed the judgments of conviction of defendants Rainford, Duncan and Locust and affirmed with respect to this Court's guideline calculations, but (1) remanded for factfinding as to the number of fraudulent accidents the Kalkanis conspiracy orchestrated during Rainford's and Locust's involvement in the conspiracy for the purpose of computing the loss enhancement under U.S.S.G. § 2B1.1(b)(1), (2) vacated and remanded Duncan's forfeiture order in order for this Court to rely on evidence rather than accept the representations of the government, and (3) remanded Rainford's sentence in order to reconsider that sentence in the interests of justice pursuant to 28 U.S.C. § 2106.

Accordingly, IT IS HEREBY ORDERED that the parties are directed to address:

1. The number of fraudulent accidents the Kalkanis conspiracy orchestrated during Rainford's and Locust's involvement in the conspiracy for purposes of computing the loss enhancement;
2. An appropriate forfeiture order for Duncan;
3. Reconsideration of Rainford's sentence in the interests of justice;
4. The parties shall confer and attempt to submit agreed upon figures for the Court's consideration as to items 1 and 2 above; and
5. The government shall make its submission on or before November 1, 2024, and the defendants shall make their submissions on or before November 15, 2024.

Dated: New York, New York
September 5, 2024

SO ORDERED:



Sidney H. Stein, U.S.D.J.